



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Attorney Docket No. VTIP 00.140)

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9.26.03

In re Application of:) Appln. No.: 10/029,840
) Confirmation No.: 5348
 XIANG-JIN MENG *et al.*) Group Art Unit: 1648
) Examiner: D. Wortman
 Filed: December 31, 2001) Paper No.: 16

For: AVIAN HEPATITIS E VIRUS, VACCINES AND METHODS OF
PROTECTING AGAINST AVIAN HEPATITIS-SPLENOMEGALY
SYNDROME AND MAMMALIAN HEPATITIS E

Assistant Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO A RESTRICTION REQUIREMENT

Dear Sir:

Responsive to the Office communication mailed January 15, 2003 in the above-referenced patent application, please consider the below remarks in a favorable light:

REMARKS

The Examiner requires restriction to one of the following inventions under 35 U.S.C. § 121 as classified on pages 2 and 3 of the Office action: I. Claims 1, 2, 6 and 8-13: an isolated avian hepatitis E virus ("HEV"), immunogenic composition or vaccine comprising the virus, and method of immunizing using the virus; II. Claim 3: an avian HEV polynucleotide; III. Claim 3: a polynucleotide encoding an avian hepatitis ("Hep") E ORF1 protein; IV. Claim 3: a polynucleotide encoding an avian Hep E RdRp protein; V. Claim 3: a polynucleotide encoding an avian Hep E ORF2 protein; VI. Claim 3: a polynucleotide encoding an avian Hep E ORF3 protein; VII. Claims 4, 8 and 10-13: an isolated protein encoded by an avian Hep E ORF1, vaccine and method of immunizing; VIII. Claims 4, 8 and 10-13: an isolated protein encoded by an avian Hep E RdRp gene, vaccine and method of immunizing; IX. Claims 4, 5, 8 and 10-13: an isolated protein encoded by an avian Hep E ORF2, vaccine and method of immunizing; X. Claims 4, 5, 8 and 10-13: an isolated protein encoded by an avian Hep E ORF3, vaccine and method of immunizing; XI. Claims 7, 17 and 18: an antibody and an immunoassay; XII. Claims 8 and 10-13: a vaccine comprising an antigenic subunit and method of immunizing; XIII. Claims 14-16: a method of propagating, inactivating or attenuating a virus by passaging; and XIV. Claims 19 and 20: a

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